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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,401	09/28/2000	Pekka Koponen	557.301US01	8265
7590	01/30/2006		EXAMINER	
Hollingsworth & Funk, LLC Suite 125 8009 34th Avenue South Minneapolis, MN 55425			COULTER, KENNETH R	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/672,401	KOPONEN ET AL.	
	Examiner	Art Unit	
	Kenneth R. Coulter	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 October 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-39 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 14 and 24 is/are allowed.
- 6) Claim(s) 1-8, 10, 11, 16-23 and 25-39 is/are rejected.
- 7) Claim(s) 9, 12, 13 and 15 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 September 2000 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 8, 10, 11, 16 – 23, and 25 – 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Angwin et al. (U.S. Pat. No. 6,167,450) (Data Communications Management System and Protocol Replacement Method for Mobile Communication Environments).

- 2.1 Regarding claim 1, Angwin discloses a method for providing reference information to a user of a wireless terminal capable of operating within a wireless network, comprising:
receiving a user-entered request identifier at the wireless terminal which identifies desired reference information corresponding to the request (Abstract; Fig. 3; col. 8, lines 32 - 67);

determining whether the desired reference information is locally stored at the wireless terminal (Abstract; Fig. 3; col. 8, lines 32 - 67);

if the desired reference information is locally stored at the wireless terminal:

obtaining the desired reference information from the wireless terminal (Abstract; Fig. 3; col. 8, lines 32 – 67 “Optimised use of ftp in accordance with the invention involves **local caching of file structures of databases** which are regularly accessed, permitting the application to **read the file structure at will without having to establish a connection.**”); and

presenting the desired reference obtained from the wireless terminal (Abstract; Fig. 3; col. 8, lines 32 - 67);

if the desired reference information is not locally stored at the wireless terminal:

establishing a connection between the wireless terminal and a data server operating within a second network via a gateway bridging the wireless network and the second network (Abstract; Fig. 3; col. 8, lines 32 – 67 “A call handler for ftp according to the preferred embodiment spoofs the entire ftp login procedure and **establishes connectivity only when files or directories not already held in local cache are being requested.**”);

transmitting the request identifier from the wireless terminal to the data server (Abstract; Fig. 3; col. 8, lines 32 - 67);

obtaining the desired information from the data server (Abstract; Fig. 3; col. 8, lines 32 - 67); and

presenting the desired reference information obtained from the data server (Abstract; Fig. 3; col. 8, lines 32 - 67).

2.2 Per claim 2, Angwin does not explicitly teach providing navigational software delivered at least in part via a WAP service to the wireless terminal, to facilitate entry of the request identifier and transmission of the request identifier to the data server if desired reference information is not locally stored at the wireless terminal. Angwin does disclose protocol replacement with a "preferred protocol." (col. 3, lines 8 – 20).

Also, WAP (wireless application protocol) is a commonplace protocol for wireless devices.

Therefore, the use of WAP does not represent a patentably distinct feature over the prior art of record.

2.3 Regarding claim 3, Angwin discloses locally storing the reference information obtained from the data server at the wireless terminal (Abstract; Fig. 3; col. 8, lines 32 - 67).

2.4 Per claim 4, Angwin teaches that storing the reference information at the wireless terminal further comprises monitoring at least one predetermined storage condition indicative of whether to locally store the reference information obtained from the data server at the wireless terminal (Abstract; Fig. 3; col. 8, lines 32 - 67).

2.5 Regarding claims 5 – 8, 10, 11, and 16, the rejection of claims 1 – 4 under 35 USC 102(e) (paragraphs 2.1 – 2.4 above) applies fully.

However, Angwin does not explicitly disclose specifics involving determining if sufficient local storage exists; determining the most frequently requested request identifiers; initiating default activities upon fulfillment of the predetermined activity condition; and the reference information being dictionary definitions or language translations.

Angwin represents a portable device with limited local storage that is connected (by wireless connection) to a network with larger storage resources.

These specifics are commonplace applications implemented in portable devices with limited local storage and slow download speed from the wireless network.

Therefore these specifics represent no patentably distinct feature over the prior art.

2.6 Per claims 17 – 23 and 25 – 39, the rejection of claims 1 – 8, 10, 11, and 16 under 35 USC 102(e) (paragraphs 2.1 – 2.5 above) applies fully.

Response to Arguments

3. Applicant's arguments with respect to claims 1 – 8, 10, 11, 16 – 23, and 25 – 39 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

4. Claims 14 and 24 are allowed.

5. Claims 9, 12, 13, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R. Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 549.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

krc

KENNETH R. COULTER
PRIMARY EXAMINER
